

PB# 95-10

OMAT, INC.

65-1-51.2

95- 10 OMAT, INC.
hot line change (Tarolli)
(Benedict Pond)

Approved 6-20-95

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

14759

March 16 19 95

Received of Ornat, Inc. \$ 50.⁰⁰

Fifty and 80 DOLLARS

For Planning Board App. Fee 100 95-10

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1395		50.00

© WILLIAMSON L

By Dorothy Hansen

Town Clerk

NO. 95-10

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12553

March 16 19 95

RECEIVED FROM OMAT, Inc.

One Hundred Fifty 00/100 DOLLARS

Lot Line Change Escrow

Account Total \$ 150.00

Amount Paid \$ 150.00 CK # 1396

Balance Due \$ -0- Myra Mason, Secy to the P.B.

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

A. Zampolo

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

June 19 19 95

Received of Mingo & Bennett \$ 100.⁰⁰

One Hundred 00/100 DOLLARS

For Planning Bd. # 95-10

DISTRIBUTION

FUND	CODE	AMOUNT
ck # 3419		100.00

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

By Dorothy H. Hansen

Town Clerk

Title

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/20/95

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 95-10

NAME: BENEDICT POND EST - OMAT, INC. LOT LINE CHANGE
APPLICANT: OMAT INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/20/95	PLANS STAMPED	APPROVED
03/22/95	P.B. APPEARANCE	LA:ND WVE PH - APPRD
	. 25' DEDICATION TO GO WITH SUBDIVISION APPL.	NEED HWY APPROVE
02/02/95	WORK SESSION APPEARANCE	SUBMIT APPLIC.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/20/95

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 95-10

NAME: BENEDICT POND EST - OMAT, INC. LOT LINE CHANGE
APPLICANT: OMAT INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	03/16/95	MUNICIPAL HIGHWAY	05/25/95	APPROVED
ORIG	03/16/95	MUNICIPAL WATER	03/17/95	APPROVED
ORIG	03/16/95	MUNICIPAL SEWER	/ /	
ORIG	03/16/95	MUNICIPAL FIRE	03/16/95	APPROVED
ORIG	03/16/95		/ /	
ORIG	03/16/95		/ /	
REV1	/ /		/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/20/95

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 95-10

NAME: BENEDICT POND EST - OMAT, INC. LOT LINE CHANGE
APPLICANT: OMAT INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
03/15/95	REC. CK. #1396	PAID		150.00	
03/22/95	P.B. ATTY. FEE	CHG	35.00		
03/22/95	P.B. MINUTES	CHG	40.50		
03/28/95	P.B. ENGINEER FEES	CHG	68.50		
06/20/95	RETURN TO APPLICANT	CHG	6.00		
		TOTAL:	150.00	150.00	0.00

*Please issue a check in
the amount of \$ 6.00 to:*

*OMAT Inc.
Box 673-D
Monroe, N.Y. 10950*

MIRRO & BENNETT
ATTORNEYS AT LAW

DONALD W. MIRRO
MATTHEW T. BENNETT

JOHN W. CALLANAN

ONE SEVENTY-SIX MAIN STREET
P. O. BOX B
GOSHEN, NEW YORK 10924

TEL: (914) 294-5401
FAX: (914) 294-3894

June 16, 1995

Planning Board
Town of New Windsor
55 Union Ave.
Newburgh, NY 12550
Attn: Myra

RE: Omat, Inc.

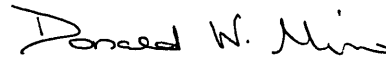
Dear Myra:

I have enclosed herewith an attorney's check in the amount of \$100.00 which represents the fee required by the Planning Board.

Please contact this office when the map has been signed by the planning board chairman.

Thank you for your time and immediate attention to this matter.

Very truly yours,


Donald W. Mirro

DWM/et

Enclosure

LOT LINE CHANGE FEES - TOWN OF NEW WINDSOR

APPLICATION (INCL. LOT LINE CHANGE):

LOT LINE CHANGE APPLICATION FEE	\$ 50.00
ESCROW (\$150.00 - \$400.00)	\$ <u> </u>

* * * * *

APPROVAL FEES: (LOT LINE CHANGE)

PRE-PRELIMINARY PLAT APPROVAL.....	\$ 25.00
PRELIMINARY PLAT APPROVAL.....	25.00
FINAL APPROVAL.....	<u>50.00</u>

TOTAL APPROVAL FEES L.L.CHG.... \$100.00

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES:	\$ <u>68.50</u>
PLANNING BOARD ATTORNEY FEES:	\$ <u>35.00</u>
MINUTES OF MEETINGS	\$ <u>40.50</u>
OTHER	\$ <u>-</u>

TOTAL TO BE DEDUCTED FROM ESCROW: \$ 144.00

DATE: March 22, 1995

* * * * *

* M) L S) D VOTE: A H N O

* CARRIED: YES: ☒ NO

* * * * *

WAIVED: YES ✓ NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES _____ NO _____

M) S) VOTE:A N APPROVED:

M) LS) D VOTE: A 4 N 0 APPR. CONDITIONALLY: 3/22/95

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

25' Dedication to go with the Subdivision Application
Need Hwy Approval

OMAT, INC., LOT LINE CHANGE (95-10) DEAN HILL ROAD

Mr. John Tarolli appeared before the board along with owner, Michael Petroni, for this proposal.

MR. TAROLLI: Over the last several years, we have been here with lands of Michael Petroni and Omat, Inc. which encompassed the bulk of this for subdivision. We had eight of ten lots. Since that time, Mr. Petroni had a mortgage on this entire parcel and what happened was that sewers were put on, the sewer extension were put on a moratorium and he found it necessary to release or deed back to the Benedicts a good portion of this land because it was not eligible for sewer connection requiring extension of mains, so that this area, these two areas in green that I have outlined on the map were released from the mortgage which Michael Petroni had with Benedicts and the balance of the land up here including the bulk of Benedict's Pond was deeded back to the Benedicts and what we show in blue now is the net that Omat would acquire, whatever Michael Petroni had of the Benedict parcel, and made it all one, all of this is now Omat that is before the Planning Board for these lots. But in essence, we have moved lot lines from here to here and from here including the little green strip so this is to show you in summary the lot line change that had occurred because of the mortgage release and consolidation of what used to be Petroni and this was Omat, all now by Omat, all of this is Omat.

MR. PETRO: What's the purpose of the irregular lot line on this large lot?

MR. TAROLLI: This is Benedict's Pond and Michael was able to negotiate with the Benedicts the release of this so that he could have some frontage on Benedict's Pond to go along with this parcel he had by separate title which fronts on Dean Hill Road, so this has now been annexed to the frontage on Dean Hill.

MR. PETRO: Following the contour of the pond?

MR. TAROLLI: Contour, from here to here, correct. These two pieces have been added to our map from a year

ago. Title company indicated that in fact Birch Street and Ash Street with a minor exception here are solely in the possession of now Omat, Michael Petroni. Before it was unclear whether they were town roads, whether they actually belonged to the lots that fronted those private streets. It is clear now that of the original parcel many years ago, this was left and all of what was left of the original owner was conveyed to Petroni and Omat so now we have shown the bulk of Ash and Birch as being belonging to Omat right out to the road.

MR. LANDER: What you're telling us is the lands of Moore here on Ash Street they don't have frontage anymore?

MR. TAROLLI: Yes, they have frontage on Ash Street, they have rights in the deed to travel what's known as Ash Street.

MR. LANDER: Okay, then they have an easement.

MR. TAROLLI: Exactly, all those lots have rights in perpetuity over both those streets but who owns and who pays taxes on it is quite clear that it is Omat, Inc.

MR. LANDER: Why is the lot line on Ash Street right here, why is it to the middle of the road?

MR. TAROLLI: Because title company found that those two tax parcels actually owned by deed to the center along with Omat, Inc. so that there are three parties that have title to that, Omat, and whatever name appears here on those two parcels.

MR. LANDER: Same thing would be true on Birch.

MR. TAROLLI: No, on Birch, Omat owns exclusively the 50 feet opening. All the lots have rights to travel in and out.

MR. LANDER: Wanted to make sure they didn't get landlocked.

MR. TAROLLI: They did not. They have no frontage so to speak on the public road but they are not

landlocked.

MR. PETRO: Mark, have you seen the offers of dedication?

MR. EDSALL: Not as of yet.

MR. PETRO: Have any been prepared for the two roads?

MR. TAROLLI: They have not because this is sort of a step back to clarify just what Omat is subdividing into lots as part of that seven or eight lot subdivision. We intended to give the Town of New Windsor the 25 feet here and a little triangular piece here so we, I really don't intend to go with a lot line change, what we intend to do is if this is acceptable, move concurrently with this and the seven or eight lots to final approval of that which will include the dedication of the center of Dean Hill Road.

MR. EDSALL: Can we get a repeat on that? You're not looking to accept the application for the lot line changes versus the subdivision?

MR. TAROLLI: They go hand in hand. Now, if you feel that we need to file this map before we proceed, we certainly will.

MR. EDSALL: I think you should.

MR. TAROLLI: If a condition is to give you now the fee title to the center.

MR. EDSALL: I think we should clean it up because if I understand what's happened already by the rearrangement of the deed or the mortgage obligations, they have already effected a lot line change without this board's approval. So what we should do is clean up the situation, make it match what you have now and then talk subdivision. That is my suggestion.

MR. TAROLLI: Since this isn't defined as a subdivision by New York State's definition, do you still want 25 feet deed with title now? Do you want it as part of the subdivision? Technically, here we're not creating

any new building lots and we technically don't have to give you 25 feet. We're going to give it to you but it just takes longer time for us to move ahead with the seven or eight lots. So we don't intend to shortchange anybody here but we'd like to get seven or eight lots moving quite quickly but we want to clean this up first.

MR. PETRO: I think we can do it with the lots.

MR. EDSALL: I would say you can take the dedication with the lots.

MR. TAROLLI: If this map gets filed next month, the offer is on here, you know, it's irrevocable.

MR. PETRO: We don't need to hold up a lot line change for a dedication of the road at this time we're not creating.

MR. EDSALL: I agree with you.

MR. TAROLLI: The other question I had and I'm not clear every town is somewhat different, New York State is redefining lot line changes so that a town does not necessarily have to hold a public hearing but some towns still do, some don't.

MR. PETRO: We have discretionary judgment, we'll take a poll of the board. Again, just down the road the two roads coming in you plan on dedicating that to the town?

MR. TAROLLI: Michael, Ash and Birch?

MR. PETRONI: The answer is yes, unless they become essential for bulk for the lots.

MR. TAROLLI: What he is saying if he is short 2,000 square feet for one of the lots that is coming out this way, he may want to utilize that to make his 28,000 square feet whatever it is.

MR. LANDER: Other than that, we have no objection.

MR. TAROLLI: It is not up to the current specifications for town road and he doesn't have any desire to bring these two roads up. So if you are willing to consider taking these on the condition they are and he has no problem with lot acreage over here.

MR. EDSALL: It can't count for lot acreage if it's an easement area, it's subtracted if it is used as a common right-of-way or it's a deeded right-of-way to these other properties, it's subtracted.

MR. PETRO: Okay, gentlemen, it doesn't affect, the lot line change at this time so we can address that then at that time we'll know whether you need the space.

MR. TAROLLI: Out of curiosity, there is a section of the code that specifies for instance, if it's an easement for an overhead utility, does that get deducted from the acreage?

MR. EDSALL: I don't believe overhead utilities are subtracted but yes, it's in the code, it's under lot area definition.

MR. PETRO: I'd like to poll the board to see if we should have a public hearing on this lot line change. Does anyone have an opinion?

MR. LANDER: I'd like to make a motion that we waive the public hearing.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive public hearing for Benedict Pond Estates lot line changes under its discretionary judgment. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. LANDER: We need to take lead agency. I make a retroactive motion to declare lead agency under the SEQRA process.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Benedict's Pond lot line change. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. LANDER: Now, let me ask you a question here. I would assume that the lots are all going to have frontage on Dean Hill Road?

MR. TAROLLI: With one exception, one will have, one has to have Ash and Birch so one will have frontage on Riley, whether--

MR. LANDER: The only reason I bring that up if you were going to leave these with these easements, you're going to have a problem when it gets to Napalitano (phonetic), do they have frontage on Dean Hill?

MR. TAROLLI: Do not.

MR. LANDER: You're going to have a problem creating that lot off of Birch, I believe only cause you're only allowed so many lots on a private road. I think this is going to turn into a private road instead of a town road.

MR. TAROLLI: His attorney will probably address it. It gets a little complicated. Now we have frontage via Ash and Birch in excess of the minimum required on Riley Road, which is a public road. Now the question arises whether do we have rights to have one house on

everything he has here, go on these even though we may have used up their allocation, I don't know and when we come back to continue the multiple lots, his attorney will have to address that and advise us.

MR. PETRO: What's the purpose of that leg shooting up around the pond, just for frontage on that one lot?

MR. TAROLLI: Just to give us some additional frontage on the pond as much as he could renegotiate with the Benedicts at the time.

MR. PETRONI: There was a bulk limitation we had to make up the bulk, that is why that went that way.

MR. PETRO: I see it's also 50 feet wide, is it also planning for a road?

MR. TAROLLI: No, it was a convenient number. We accurately located it to the edge of the pond, when you see the lots we come in with, we had a certain number in mind that just allows the last lot to have its square footage.

MR. PETRONI: We have less than 50 feet access, this will be discussed but there's a clear access here to this.

MR. TAROLLI: For Benedicts?

MR. PETRONI: It's been there forever.

MR. PETRO: We have fire approval on 3/16/95.

MR. LANDER: Highway?

MR. PETRO: Nothing from highway.

MR. LANDER: I make a motion to declare negative dec.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for Benedict's Pond Estates lot line change. Any further

discussion from the board members? If not, roll call.

ROLL CALL

MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. PETRO: We haven't heard back from the highway department yet. Board members feel we can move ahead with a subject to?

MR. LANDER: I think so, Mr. Chairman, we're going to need, Andy's going to have to see the orders of dedication.

MR. PETRO: I think we decided that we're going to do that when we do the lots, not at this time, so we don't need that at this time. So I think the only subject to that I am aware of, Mark, correct me if I am wrong, is the highway department, anything else?

MR. EDSALL: And that might even be an issue that as well you can take up on a subdivision plan because they are really not proposing any development at this time. You can probably defer that for the next application.

MR. LANDER: Like to make a motion for the Benedict Pond Estates lot line change subject to highway department.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Benedict's Pond Estates lot line change subject to approval from the New Windsor Highway Department. Is there any further discussion from the board members? If not. Roll call.

ROLL CALL

MR. STENT	AYE
MR. LANDER	AYE

March 22, 1995

11

MR. DUBALDI
MR. PETRO

AYE
AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: BENEDICT POND ESTATES II (OMAT) LOT LINE CHANGE
WITH LANDS OF BENEDICT
PROJECT LOCATION: DEAN HILL ROAD
PROJECT NUMBER: 95-10
DATE: 22 MARCH 1995
DESCRIPTION: THE APPLICATION INVOLVES SEVERAL ADJUSTMENTS
TO PROPERTY LINES BETWEEN THE LANDS OF OMAT
AND LANDS OF BENEDICT.

1. It is my understanding that this lot line change application involves three (3) separate parcels which have been conveyed to OMAT, Inc. from Benedict, via a "released mortgage". As well, the application proposes two (2) road dedication parcels to the Town of New Windsor.

It is my recommendation that the Board request the Applicant's surveyor to explain the limits of the actual lands being conveyed, such that it is absolutely clearly understood what is being requested based on this application.

2. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
3. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision (in form of lot line change)**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
4. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: BENEDICT POND ESTATES II (OMAT) LOT LINE CHANGE
WITH LANDS OF BENEDICT
PROJECT LOCATION: DEAN HILL ROAD
PROJECT NUMBER: 95-10
DATE: 22 MARCH 1995

5. The Applicant should submit the descriptions and **Offers of Dedication** to the Planning Board Engineer and Town Attorney for review.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

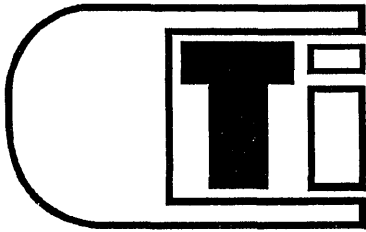
Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:BENEDICT.mk



ABSTRACT
CORP.

176 MAIN STREET • GOSHEN, NEW YORK 10924 • (914) 294-5428
FAX # 294-3894

March 17, 1995

Andrew S. Kreiger, Esq.
219 Quassaick Ave.
New Windsor, NY 12553

RE: Lot Line Change
Lands of Omat, Inc.
Title #951132

Dear Andy,

This is to inform you that our office has been requested to prepare a title report for the property affected by the lot line change for the lands of Omat, Inc.

I have enclosed herewith a title report which certifies title in Omat, Inc.

If there are any questions, please feel free to contact this office.

Very truly yours,

Donald W. Mirro

DWM/et

Enclosure

cc: Town Engineer -

Town of New Windsor
555 Union Ave.
New Windsor, NY 12553

Town Planning Board - Town of New Windsor ✓
555 Union Avenue
New Windsor, NY 12553

John Tarolli, P.E. - PO Box 166
Pine Bush, NY 12566

ABSTRACT
CORP.

C. T. I. ABSTRACT CORP.

176 MAIN STREET, GOSHEN, NEW YORK 10924 - (914) 294-5428 - TOLL FREE 800 942-7130

SERVING: ORANGE, ROCKLAND, SULLIVAN, ULSTER, DUTCHESS, WESTCHESTER AND UPSTATE COUNTIES

Number	Date	Insurance
951132	03/13/95	ORANGE
		Mtg
		Fee
TITLE VESTED IN: OMAT, INC.		
INSURED, FEE:		
INSURED, MTG: (3)		
Its Successors and/or Assigns		
PREMISES: Dean Hill Rd., New Windsor, New York T/O New Windsor 65 - 1- 51.2		
REMARKS: *****NOTE: A PORTION OF OUR P.U.E. REMAINS IN THE NAME OF "OMAT, INC." SINCE IT WAS RELEASED FRO LIBER 2493 MP. 289 BY RELEASE OF PART OF MORTGAGE PREMISES IN LIBER 3679 CP 85		
APPLICANT: Donald W. Mirro, Esq., Mirro & Bennett, 176 Main Street, Goshen, NY 10924 294 5401		
SELLER'S ATTORNEY:		
BANK ATTORNEY:		

THANK YOU FOR YOUR APPLICATION FOR THE EXAMINATION OF TITLE TO THE ABOVE DESCRIBED PREMISES.

WE SHALL DO OUR BEST TO REPORT THIS TITLE PROMPTLY AND FACILITATE ITS CLOSING.

VERY TRULY YOURS,

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

Commitment No. 951132

COMMITMENT FOR TITLE INSURANCE

Issued by

LAWYERS TITLE INSURANCE CORPORATION

Lawyers Title Insurance Corporation, a Virginia corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations on the reverse hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

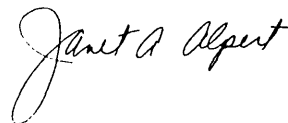
This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate nine months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

This Commitment shall not be valid or binding until countersigned by an authorized officer or agent.

IN WITNESS WHEREOF, Lawyers Title Insurance Corporation has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A.

Lawyers Title Insurance Corporation

By:



President

Attest:

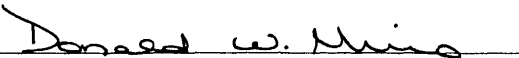


Secretary.

Countersigned by:

CTI ABSTRACT CORP.
176 Main Street
Goshen, New York 10924

by



Authorized Officer or Agent

Telephone number. 914-294-5428

This Commitment is intended for lawyers only. Such exceptions as may be set forth herein may affect marketability of title. Your lawyer should be consulted before taking any action based upon the contents of this Commitment. The Company's representative at the closing hereunder may not act as legal advisor to any of the parties or draw legal instruments for them. Such representative is permitted to be of assistance only to an attorney. It is advisable to have your attorney present at the closing.

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE A

1. Effective Date: March 1, 1995 Commitment No. 951132

2. Policy (or policies) to be issued:

(a) ALTA Owner's Policy 1990 (with N.Y. Endorsement Modifications) Policy Amount
Proposed Insured:
Omat, Inc.

(b) ALTA Loan Policy 1990 (with N.Y. Endorsement Modifications) Policy Amount
Proposed Insured:

(c) Policy Amount
Proposed Insured:

3. Title to the fee simple estate or interest in the land
described or referred to in this Commitment is at the effective date hereof vested in:

OMAT, INC., having acquired title by the following deeds: 1.) Deed from Michael Petrone dated 1/18/95, recorded 2/1/95 in Liber 4175 cp 57 2.) Deed from H. Franklin Benedict, life tenant under the Last Will and Testament of Howard O. Benedict, H. Franklin Benedict and Getrude C. Benedict (h/w), H. Glenn Benedict, Lee C. Benedict and Dale Benedict dated 12/18/86, recorded 12/22/86 Liber 2626 cp 317.

4. The land referred to in this Commitment is described as follows: (If not described here, as on page 2 of this Schedule).

SEE ANNEXED DESCRIPTION

Issued at Goshen, New York
Donald W. Mirro

Lafayette Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE B (Continued)

Commitment No.

DESCRIPTION

PARCEL 1

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, bounded and described as follows:

BEGINNING at a point in the center of Dean Hill Road, said point being the division line between the westerly side of the premises herein described and the easterly side of lands now or formerly of Howard O. Benedict and Franklin Benedict;

THENCE running along the centerline of Dean Hill Road, South 59° 18' 50" East, 26 feet to a point;

THENCE along the lands now or formerly of Benedict, South 37° 36' 10" East, 674.4 feet to a point;

THENCE along the lands now or formerly of Howard Franklin Benedict, South 28° 04' 00" East, 286.40 feet to a point continuing along the same, South 28° 08' 00" East 117.00 feet to a point;

THENCE a premises designated on the Tax Map for the Town of New Windsor, Section 67 in Block 3, Lot 1, as described in Liber 1612 cp 1027 and by correction deed in Liber 1626 cp 1145, South 71° 35' 00" West, 128.50 feet to a point;

THENCE continuing along the same, South 38° 33' 00" East, 100 feet to a point;

THENCE along the northerly side of Ash Street and along the land designated on the Tax Map as Section 67 in Block 2, Lot 5, as described in Liber 1438 cp 420, North 51° 27' 00" East, 150 feet to a point;

THENCE along the lands designated on the Tax Map as Section 67 in Block 2, Lot 1, as described in Liber 1360 cp 488, North 38° 33' 10" West, 150 feet to a point, continuing along the same, North 51° 27' 00" East, 100 feet to a point in the westerly side of Birch Drive;

THENCE along the westerly side of Birch Drive, North 38° 33' 00" West, 150 feet to a point;

continued

DESCRIPTION continued

THENCE along the northerly side of Birch Drive and along the northerly side of lands designated on the Tax Map as Section 67 in Block 1, Lot 9 as described in Liber 1300 cp 491, North 51° 27' 00" East, 150.2 feet to the lands now or formerly of Grace Sanntrock described in Liber 833 cp 295 and designated on the Tax map as Section 67 in Block 1 Lot 1;

THENCE along the westerly side of lands now or formerly of Sanntrock in a northerly direction to the center line of Dean Hill Road;

THENCE along the center line of Dean Hill Road to the point or place of BEGINNING.

BEING AND INTENDED to be Section 65 in Block 1 Lot 51.2 on the Tax Map of the Town of New Windsor and further to be the remainder of the premises acquired by Walter H. Gerow from Arthur A. Gerow, which fronts on Dean Hill Road and is contiguous, in a certain deed dated May 5, 1952, recorded June 26, 1952 in Liber 1253 cp 13.

PARCEL II - A

ALL that land situate in the Town of New Windsor, County of Orange, State of New York, described as follows:

BEGINNING at a set 5/8" iron rod at the southwesterly corner of Tax Lot No. 65-1-16.3;

THENCE along said lot and generally following a stone wall most of the way North 33° 37' 10" East passing over a set 5/8" iron rod at 159.97 feet along the way for a total distance of 185.00 feet to a point in the presumed center line of Dean Hill Road;

THENCE along the center line of said Dean Hill Road, South 59° 18' 50" East, 26.00 feet;

THENCE along the southwesterly line of Tax Lot 65-1-51.2 South 37° 36' 10" East passing over a set 5/8" rod at 67.58 feet along the way for a total distance of 674.40 feet to a set 5/8" iron rod in a stone wall;

continued

DESCRIPTION continued

THENCE along the southwesterly side of Tax Lot 65-1-51, now or formerly lands of Omat, Inc., Deed Reference Liber 2626 Page 317, Parcel I, South 24° 29' 00" East 155.55 feet;

THENCE through said Tax Lot 65-1-51.1 South 88° 35' 20" West 210.62 feet;

THENCE along the westerly side of said lot North 27° 26' 10" West 50.00;

THENCE through the lands now or formerly of Omat, Inc., Deed Reference Liber 2626, Page 137, Parcel II, North 27° 26' 10" West 28.57 feet to a point on the northeasterly bank of Benedict Pond;

THENCE along the northeasterly and northerly bank of said pond the following eleven courses:

1. North 51° 09' 12" East 86.50 feet
2. North 18° 13' 02" West 67.71 feet
3. South 77° 25' 05" West 14.85 feet
4. North 50° 17' 46" West 62.91 feet
5. North 46° 33' 50" West 124.26 feet;
6. North 34° 55' 01" West 137.26 feet;
7. North 77° 52' 08" West 91.57 feet;
8. South 88° 45' 10" West 74.70 feet;
9. South 86° 52' 26" West 76.19 feet;
10. South 61° 18' 23" West 136.80 feet;
11. South 45° 03' 54" West 16.80 feet;

THENCE leaving said pond, North 23° 28' 45" W 50.68 feet;

THENCE North 51° 57' 20" East 260.60 feet to a point in the westerly line of the aforesaid Tax Lot 65-1-16.3;

continued

DESCRIPTION continued

THENCE along said lot South 35° 37' 45" East 31.97 feet to the point of BEGINNING.

INTENDED to be a portion of lands conveyed to Omat, Inc. in Liber 2626 of Deeds Page 317.

PARCEL II - B

ALL that land situate in the Town of New Windsor, County of Orange, State of New York, described as follows:

BEGINNING at a point in the center line of Dean Hill Road at the northerly corner of Tax Lot 65-1-16.3 said point being North 35° 37' 45" West 434.06 feet from a 5/8 " iron rod at the southwesterly corner of said lot, being the point of beginning of release Parcel I;

THENCE from said point of beginning and through the lands now or formerly of Omat, Inc., Deed Reference Liber 2626, Page 317, South 72° 10' 35" West, passing through a set 5/8" iron rod at 32.89 feet for a total distance of 397.62 feet, South 35° 58' 50" East and North 61° 41' 45" East 381.24 feet to the point of beginning.

INTENDED to be a portion of lands conveyed to Omat, INC. in Liber 2626 of Deeds, Page 317.

TOGETHER with the right to use the waters of Benedict Pond in common with others.

SCHEDULE B

The following estates, interests, defects, objections to title, liens and encumbrances and other matters will be excepted from the coverage of any policy or policies to be issued.

1. Defects and encumbrances arising or becoming a lien after the date of the policy to be issued, except as therein provided.
2. Consequences of the exercise and enforcement or attempted enforcement of any governmental war or policy powers over the premises.
3. Any laws, regulations or ordinances (including, but not limited to zoning, building, and environmental protection) as to the use, occupancy, subdivision or improvement of the premises adopted or imposed by any governmental body, or the effect of any noncompliance with or any violation thereof.
4. Judgments against the insured or estates, interest, defects, objections, liens or encumbrances created, suffered, assumed or agreed to by or with the privity of the insured.
5. Title to any property beyond the lines of the premises, or title to areas within or rights or easements in any abutting streets, roads, avenues, lanes, ways or waterways, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement, unless this Commitment specifically provides that such titles, rights, or easements are insured. Notwithstanding any provisions in this paragraph to the contrary, the policy to be issued, unless otherwise excepted in this Commitment, will insure the ordinary rights of access and egress belonging to abutting owners.
6. Title to any personal property, whether the same be attached to or used in connection with said premises or otherwise. (No search has been made for financing statements except as may have been ordered and reported separately.)

Note: Items 1 through 6 will not appear in Schedule B of the Policy if this Commitment calls for an ALTA Policy since the matters addressed by these items are provided for elsewhere in said ALTA Policy.

Schedule B of the policy or policies to be issued will further contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

7. If the application is for insurance under a master or blanket policy all items under this Schedule B will be excepted from coverage in the Certificate of Title Insurance to be issued hereon unless disposed of to the satisfaction of the Company on or prior to closing.
8. The identity of parties at the closing of this title should be established to the satisfaction of the closer and the affidavit attached to this certificate filled out, signed and sworn to.
9. Deeds and mortgages must contain the covenant required by Section 13 of the Lien Law and such covenant must be absolute and not conditional. The covenant is not required in deeds from referees or other persons appointed by a court for the sole purpose of selling property.
10. When the transaction is an assignment of a mortgage or other lien, an estoppel certificate executed by the owner of the fee and by the holders of all subsequent encumbrances must be obtained. When the transaction is a mortgage, the amount actually advanced should be reported to the Company.
11. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
12. If the present transaction consists in whole or in part of a conveyance or lease by a corporate grantor or lessor, there must be compliance with Section 909 of the Business Corporation Law. We will require the written consent to such conveyance or lease by all of the holders of the outstanding shares of the said corporation and the instrument on closing should so recite. In lieu thereof the consent of the holders of two-thirds of all of the outstanding shares entitled to vote thereon obtained at a meeting duly noticed and called for the purpose of obtaining such consent in the manner provided for in Section 605 of the Business Corporation Law is requested and the instrument on closing should so recite.
If neither of the above is obtained, then, the proofs showing the basis upon which the conveyance or lease is to be made must be submitted to counsel prior to closing.
13. If the present transaction consists in whole or in part of the making of a new mortgage there must be compliance with Section 911 of the Business Corporation Law. We will require a certified copy of the resolution of the board of directors of any corporate mortgagor authorizing the making of said mortgage.
Proof must also be shown that the consent of stockholders of the mortgagor corporation is not required by its certificate of incorporation or amendments thereto for the making of said mortgage.
The mortgage should contain a recital showing that it was made and executed pursuant to the resolution of the board of directors of the mortgagor.
14. If this Commitment requires a conveyance of the fee estate and the contract therefor has not been submitted to the Company, it should be furnished for consideration prior to closing.

(Continued)

SCHEDULE B (Continued)

Commitment No. 951132

15. Proof is required to show that

has (have) not been known by any other name(s) in the 10 years last past. If that (those) person(s) has (have) been known by another name, all searches must be amended and run against such name(s) and title is subject to returns, if any, on such amended searches.

16. Rights of present tenants, lessees or parties in possession.

17. The following mortgages (if not shown on separate page 3 of this Schedule B), taxes and assessment (if not shown on separate page 4 of this Schedule B), easements, conditions, restrictive covenants, judgments, mechanic's liens, other liens, encumbrances, defects and objections to title. (Copies of any restrictive covenants, easements or conditions are attached):

18. Our policy does not insure against taxes, water rates, assessments and other matters relating to taxes which have not become a lien up to the date of the policy or installments due after the date of the policy. Neither our tax search nor our policy covers any part of streets on which the premises abut.

19. The exact acreage of the premises herein is not insured.

20. Rights, if any, in favor of any electric light or telephone company to maintain guy wires extending from said premises to poles located on the roads on which the premises abut, but policy will insure, however, that there are no such agreements of record in connection therewith, except as may be shown herein.

21. Underground encroachments and easements, if any, including pipes and drains, and such rights as may exist for entry upon said premises to maintain and repair the same, but policy will insure, however, that there are no such easements of record in connection therewith, except as may be shown herein.

22. No title is insured to that portion of the premises lying in the bed of any street or roadway.

23. Subject to any state of facts an accurate survey or personal inspection may reveal.

24. The exact distances, dimensions and locations of boundary lines of the premises herein described cannot be guaranteed without a survey acceptable and approved by the Law Department of this Company.

!

Lancers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE B (Continued)

Commitment No.

951132

25. Grants in Liber 1290 cp 30 and Liber 1465 cp 321 (affects Parcel I).
26. Grants in Liber 681 cp 507 and Liber 872 cp 541 (affects Parcel II).
27. Proof of payment of New York State Franchise Taxes for Omat, Inc. from incorporation to date are being investigated.
28. Survey made by Mercurio-Norton-Tarolli dated August 1986, last revised January 16, 1995, entitled Survey and Lot Line Change Map, shows the following:
 1. Stone walls
 2. Edge of Benedict Pond located along the westerly side of a portion of premises
29. FOR INFORMATION: Parcel I fronts upon Birch Drive and Ash Street. An examination of title finds title vested in Omat, Inc. by deed recorded in Liber 4175 cp 57, and half (1/2) of Ash Street vested in Gadbois and Belle. Subject to the rights of others over and across said roads.
30. The subject premises is presently assessed as a vacant land parcel. Said assessment will increase upon improvements. Should this company be asked to escrow real property taxes, the escrow to be held will be computed upon the anticipated full assessment amount.
31. Attention is called to the fact that any instrument covering premises in the State of New York must be endorsed with the Section, Block and Lot of the Tax Map of the City or Town in which the premises are situated before it will be acceptable for recording.

NOTE: The County Clerks require that all documents submitted for recording must be signed in black ink.

NOTE: This company has recently suffered considerable delay and expense in recording instruments due to the rejection of uncertified checks by various County Clerks. By reason thereof, any check made payable to a County Clerk (other than the Orange County Clerk which has a \$500.00 limit) in excess of \$1,000.00 must be certified funds.

Lenders Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

MORTGAGES

Commitment No. 951132

Mortgagor NONE OF RECORD

Mortgagee

Amount \$

Dated

Recorded

Liber

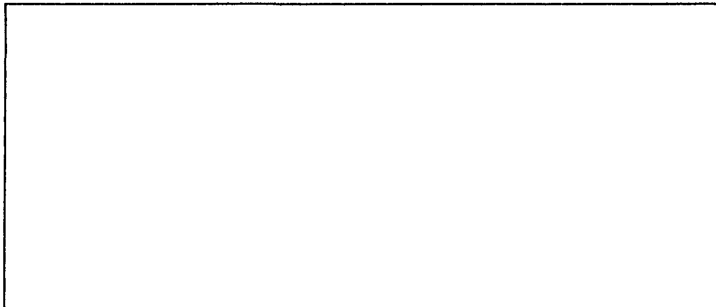
NOTE: All the terms and conditions of the mortgage noted herein are not set forth. The applicant should acquaint himself with such facts before closing title.

Lenders Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

Commitment No. 951132

Diagram of Tax Map



City
Town New Windsor
Village
Borough
County ORANGE

Section Block Tax Lot Ward

School Dist. Volume

Assessed Valuation: Land \$ Total \$

Assessed in the name of

TAXES, ASSESSMENTS, WATER RATES AND SEWER CHARGES

which are liens on real property

PARCEL 1 Section 65 Block 1 Lot 51.2

School District: Newburgh

Assessed to: Petrone

Assessed Value: Land - \$7,800.00 Full - \$7,800.00

1995 State, County and Town \$519.53 OPEN

1994/95 School \$412.87 PAID 9/14/94

1995 Tax Sale \$626.99 OPEN

PARCEL 2-A Section 65 Block 1 Lot 51.1

School District: Cornwall

Assessed to: Omat, Inc.

Assessed Value: Land - \$9,500.00 Full - \$9,500.00

1995 State, County and Town \$337.01 PAID 1/31/95

1994/95 School \$523.28 PAID 9/23/95

1994 State, County and Town \$862.01 (includes RST \$526.35) + penalties
\$951.37 PAID 6/24/94

Continued

This commitment includes only such unpaid taxes, assessments, water and sewer charges and any open or unredeemed tax sales which are indexed, as of the date of this commitment, against the above lot on the official tax ledger sheets of the tax office or offices searched. No responsibility is assumed for any error or omission on these sheets, nor for any taxes levied after the date of this commitment. Proposed assessments reported herein are for information only and no responsibility is assumed by the Company for the accuracy or completeness thereof. If a Tax exemption is noted above, same will terminate on the date when premises are conveyed by the certified owner, and the full tax rate will thereupon be reinstated.

NOTE: Some of these items may have been paid, but the payment not officially posted.

TAXES continued

PARCEL 2-B Section 65 Block 1 Lot 56

School District: Cornwall

Assessed to: Omat, Inc.

Assessed Value: Land - \$88,700.00 Full - \$88,700.00

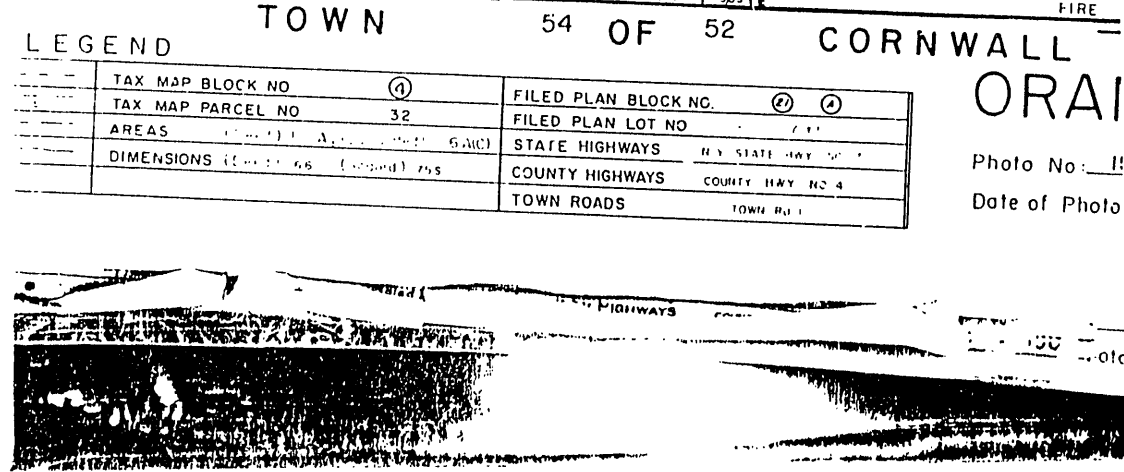
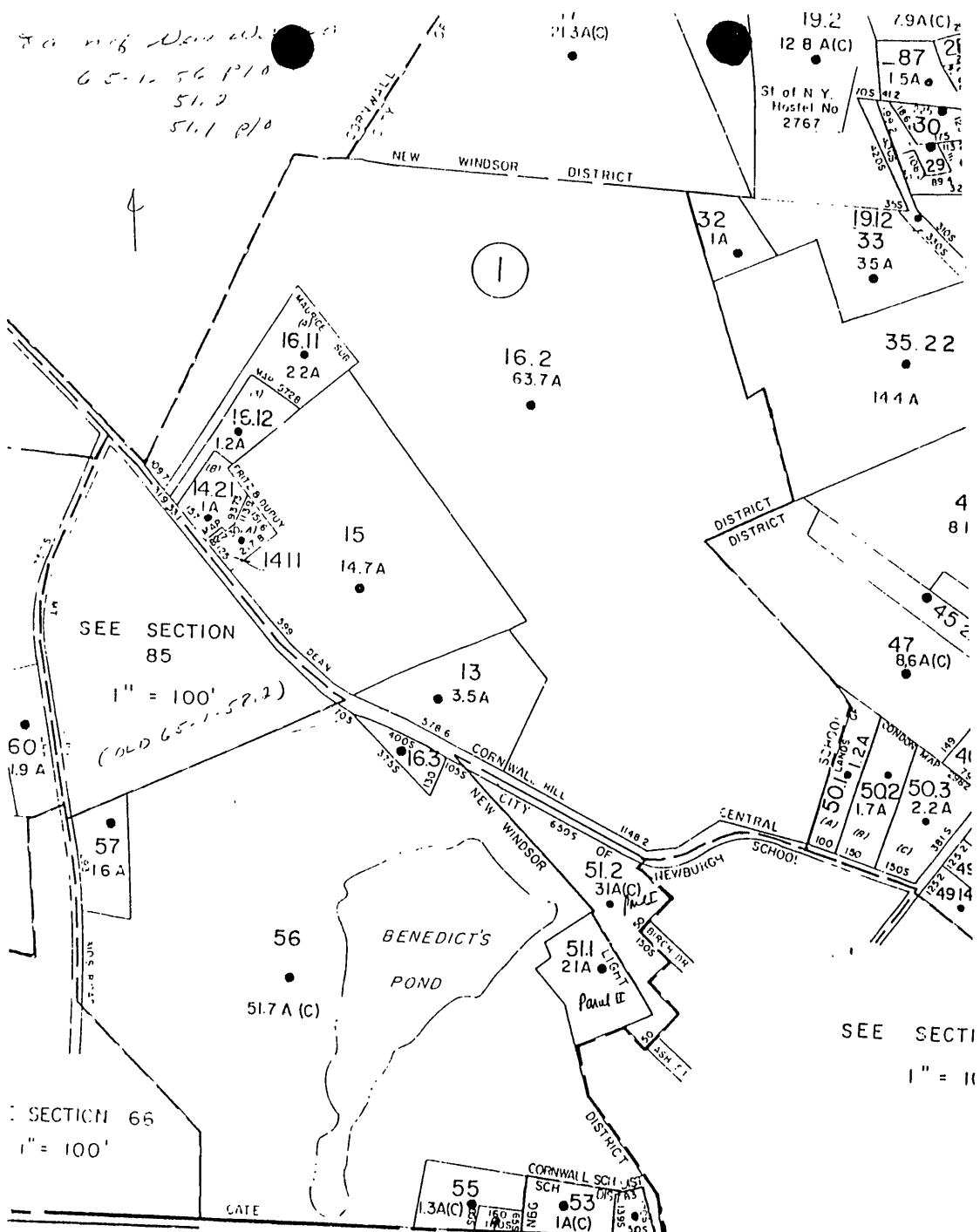
1995 State, County and Town \$3,146.50 PAID 1/31/95

1994/95 School \$4,885.82 PAID 9/26/94

1994 State, County and Town \$8,048.49 (includes RST \$4,914.50) +
penalties \$8,874.46 PAID 6/24/94

Unless there is a final reading or an up to date receipt presented at closing, Policy will except all water, sewer and garbage charges.

Recent payments of any open items returned on this tax search may not yet be reflected on the public records. THEREFORE, PLEASE REQUEST THE SELLER OR BORROWER TO HAVE THE RECEIPTED BILL AVAILABLE AT THE CLOSING.



In consideration of the sum of \$1.00 and other valuable considerations, the receipt whereof from Central Hudson Gas & Electric Corporation, a domestic corporation, having its principal office (residence) at South Road (no street number) Poughkeepsie, New York, and New York Telephone Company, a domestic Corporation having its principal office (residence) at 140 West Street, New York, N. Y. is hereby acknowledged the undersigned hereby grants and conveys unto said corporations, and each of them, their respective successors, assigns and lessees, an easement and right of way 30 feet in width throughout its extent in, upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto situated in the Town of New Windsor, County of Orange, State of New York.

Said easement and line shall extend from the property line of Riley Road on the east in a northwesterly direction to the property line of Dean Road on the northwest along unnamed private road.

Together with the right at all times to enter thereon and to have access thereto and to construct, relocate, operate and maintain thereon and to repair, replace, protect and remove lines of poles, cables, crossarms, wires, guys, braces, underground conduits and all other appurtenances and fixtures adapted to the present and future needs, uses and purposes of said corporations, their respective successors, assigns and lessees.

Together with the right to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned as in the judgment of said corporation, their respective successors, assigns and lessees may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, lines and fixtures or any thereof.

The exact location of said easement and line is to be as

PAGE TWO

determined by said corporations having regard to the origin, general direction and destination of said lines and the requirements of said corporations.

Reserving unto the undersigned the right to cultivate the ground between said poles and beneath said wires and fixtures provided that such use of said ground shall not interfere with, obstruct or endanger any of the rights, granted as aforesaid and provided that no house or other structure shall be erected within the limits of the right of way without the written consent of said corporations; and provided that damage to the property owned by the undersigned caused solely by said corporations, their respective successors, assigns or lessees in maintaining or repairing said lines shall be adjusted at the expense of said corporations, their respective successors, assigns and lessees.

The provisions hereof shall inure to and bind the heirs, legal representatives, successors, assigns and lessees of the undersigned and said corporations respectively.

WALTER H. GEROW L.S.

Dated Oct. 30, 1953

Rec. Dec. 2, 1953

L. 1290 ep. 30.

GRANT

Recorded: June 18, 1958
Liber 1465 cp. 321

Form No. 408 Rev. 2M-5-57

In consideration of the sum of \$ 1.00 and other valuable considerations, the receipt whereof from Central Hudson Gas and Electric Corporation, a domestic corporation having its principal office (residence) at South Road (no street number), Poughkeepsie, New York, AND New York Telephone Company, a domestic Corporation having its principal office (residence) at 140 West Street, New York, N. Y., is hereby acknowledged, the undersigned hereby grant(s) and convey(s) unto said corporation(s), and each of them, their respective successors, assigns and lessees, an easement and right of way 30 feet in width throughout its extent, in, upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto, situated in the Town of New Windsor, County of Orange, State of New York. Said easement and line shall extend from the property line of Riley Road (Pole #39485) on the northeast southwesterly direction to the property of Mauro Martin on the southwest thence in a westerly direction along private road to the property of Mauro Martin.

Together with the right at all times to enter thereon and to have access thereto and to construct, relocate, operate and maintain thereon to repair, replace, protect and remove, lines of poles, cables, crossarms, wires, guys, braces, underground conduits, and all other appurtenances and fixtures adapted to the present and future needs, uses and purposes of said corporation(s); their respective successors, assigns and lessees.

Together with the right also to trim, cut and remove at any time such trees and other objects thereon and on adjacent property of the undersigned, as in the judgment of said corporation(s), their respective successors, assigns and lessees, may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, lines and fixtures or any thereof.

The exact location of said easement and lines is to be as determined by said corporation(s) having regard to the origin, general direction and destination of said lines and the requirements of said corporation(s).

Reserving unto the undersigned the right to cultivate the ground between said poles and beneath said wires and fixtures, provided that such use of said ground shall not interfere with, obstruct or endanger any of the rights granted as aforesaid and provided that no house or other structure shall be erected within the limits of the right of way without the written consent of said corporation(s); and provided that damage to the property owned by the undersigned caused solely by said corporation(s), their respective successors, assigns or lessees, in maintaining or repairing said lines shall be adjusted at the expense of said corporation(s), their respective successors, assigns or lessees.

The provisions hereof shall inure to and bind the heirs, legal representatives, successors, assigns and lessees of the undersigned and said corporation(s) respectively.

Signed, sealed and delivered, on May 19, 1958 Robert J. Ferrou (L. S.)

In the presence of: B. A. L. L. (L. S.)

Residing at: 107 N. Hudson Ave.
New Windsor Orange NY
Town of New Windsor County of Orange State of New York

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

Howard A. Benedict

Grant

Eva B. Benedict

Dated Nov. 21, 1927

to

Ack. Dec. 2, 1927

American Telephone and
Telegraph

Rec. Dec. 17, 1927

Cons. \$5.00

Liber 681 op. 507

GRANTS:

x The right, privilege and authority to construct, reconstruct, operate, and maintain lines of telephone and telegraph consisting of such poles, wires, cables, conduits, guys, anchors and other fixtures and appurtenances as the grantee may from time to time require, upon, across, over and/or under the property which we own or in which we have any interest in the Town of New Windsor, County of Orange, and State of New York, and upon and along the roads, streets or highways adjoining the said property, with the right to trim from time to time any trees along said lines so as to keep the wires and cables cleared at least thirty six inches and the right to permit the attachment of and/or carry in conduit wires and cables of any other company. The grant for himself, his heirs, executors, administrators and assigns hereby covenants that no wire line will be erected or permitted on said property which in the judgment of the grantee, its successors and assigns, will interfere with its service or endanger its lines and that no inflammable structure will be erected or permitted on said property within 50 feet of said lines. Said sum being received in full payment for the rights here in granted

Howard A. Benedict
to
Central Hudson Gas and
Electric Corp. and
New York Telephone Co.

Grant
Dated Sept. 24, 1941
Ack. Sept. 24, 1941
Rec. Oct. 28, 1941
Cons. \$1.00
Libor 872 op. 541

GRANT:

An easement and right of way in, upon, over, under and across the lands of the undersigned, including roads and highways thereon and adjacent thereto, situated in the Town of New Windsor, County of Orange, State of New York. Said easement and line shall extend from the property line of junction of Deane Road and Mount Airy Road on the north in a southerly direction to the property line of Geron on the 500th to install guy, stud and anchor. Together with the right at all times to enter thereon and have access thereto and to construct, relocate, operate and maintain thereon and to repair, replace, protect, and remove a line of poles, cables, crossarms, wires, guys, braces, underground conduits and all other appurtenances and fixtures adapted to the present and future needs, uses and purposes of said corporation (s) their respective successors, assigns and lessees.

Together with the right at all times to enter thereon and have access thereto and to construct, relocate, operate and maintain thereon and to repair replace, protect and remove a line of poles, cables, crossarms, wires, guys, braces, underground conduits and all other appurtenances and fixtures adapted to the present or future needs, uses and purposes of said corporation (s) their respective successors, assigns and lessees. Together with the right also to attach guy wires to trees on said property, and to trim, cut and remove trees and other objects thereon so as to provide a clearance of 10 feet from the said corporations.

The exact location of said easement and line is to be as determined by said corporations having regard to the origin, general direction and designation of said line and the requirements

of said corporation. In such the hereafter materially interferes with any new use to which the land of the undersigned may subsequently be devoted, the corporations will, on reasonable notice, and on being given without cost a new easement and right of way satisfactory in form to them for a substitute location reasonably suitable for their requirements, remove, such line to such substitute location, but only one such removal may be required Central Hudson Gas and Electric Corp. and New York Telephone Co. shall reimburse the undersigned for any damage to his-her-their-its property caused solely by the said Corporations in repairing the line to be located on this easement.

P.B. #95-10 Application Fee

783-9407
OMAT, INC.

1395

PAY
TO THE
ORDER OF

Town of New Windsor

2/5

1995

50-244/219

\$ 50⁰⁰

DOLLARS

fifty only

THE
BANK OF
NEW
YORK

Orange Tpke.
Tuxedo Park, N.Y. 10987

FOR

⑈001395⑈ ⑆021902446⑆ ⑈251006276⑈

OMAT, INC.

1396

PAY
TO THE
ORDER OF

Town of New Windsor

2/5

1995

50-244/219

\$ 150⁰⁰

DOLLARS

one hundred fifty only

THE
BANK OF
NEW
YORK

Orange Tpke.
Tuxedo Park, N.Y. 10987

FOR

⑈001396⑈ ⑆021902446⑆ ⑈251006276⑈

MERCURIO - NORTON - TAROLLI

Land Surveying - Engineering, P.C.

P. O. Box 166 Pine Bush, New York 12566

914-744-3620 FAX: 914-744-3805

John Tarolli, P. E., L. S.
Alphonse Mercurio, L. S.
William G. Norton, L. S.
Kenneth W. Vriesema, L. S.

March 13, 1995

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

Re: Lot Line Change
Lands of Omat, Inc.
Final Plan

Dear Planning Board:

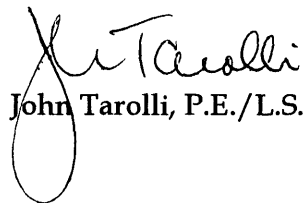
Enclosed please find:

- 1) Ten (10) prints of the final plan.
- 2) Application
- 3) Checklist
- 4) E.A.F.
- 5) Checks for \$50 and \$150
- 6) Proxy statement

Please place us on March 22nd agenda.

Thank you.

Very truly yours,



John Tarolli, P.E./L.S.

JT/cg
Enc.

cc: M. Petrone
D. Mirro, Atty.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95 - 10

DATE PLAN RECEIVED: RECEIVED MAR 15 1995

The maps and plans for the Site Approval _____
Subdivision L.L. Chg as submitted by
OMAT, Inc. for the building or subdivision of
_____ has been
reviewed by me and is ~~approved~~ _____
disapproved ✓ _____

If disapproved, please list reason _____

Need to discuss road

5/1/95
After discussion with
Skip - he approved this
plan.

Fred Haynes 4/18/95
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

(m)

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM



1763

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **95-10**

DATE PLAN RECEIVED: **RECEIVED MAR 15 1995**

The maps and plans for the Site Approval Benedict Pond Estates II
Subdivision _____ as submitted by

John Tarditi C.S. for the building or subdivision of
_____ has been
reviewed by me and is approved ☒
~~disapproved~~ _____

If ~~disapproved~~, please list reason _____

There is no Town water in this area.

HIGHWAY SUPERINTENDENT DATE

John D. D. C. Amos 3-17-95
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 16 March 1995

SUBJECT: Benedict Pond Estates II

Planning Board Reference Number: PB-95-10

Dated: 15 March 1995

Fire Prevention Reference Number: FPS-95-016

A review of the above referenced subject lot line change plan was conducted on 16 March 1995.

This lot line change is acceptable.

Plans Dated: 21 February 1995; Revision 2

Robert F. Rodgers CCA (mvz)
Robert F. Rodgers, C.C.A.

RFR/mvz



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

93-2
95-10

10-10⁴⁰
TOWN/VILLAGE OF NEW Windsor

P/B # 93-2

WORK SESSION DATE: 2 Feb 1995

APPLICANT RESUB.
REQUIRED: 2 gpts

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Benedict Road Ph. II subd.

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: John Tarolli & Mike Petrone

MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) John Tarolli

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Birch & Ash are private roads - OMAT has title ownership
- They need to go back to T/A re outside user permits incl Lot 21
- Get Andy Krieger & Mike copy of deeds
- No may wish to join Mac + agent re two roads
- non-conf - "not a building lot" @ end of Ash must be deleted
- 56 & most of 51.1 went back to Benedict
- realign of 41 back Benedict & 51.2 (M. Petrone)
- need 41 change first.
- Andy K must OK use of releases re new 41
- Possible Birch Drive connection to Bear Hill

4MJE91 pbwsform



TOWN OF NEW WINDSOR

95-10

RECEIVED MAR 18 1995

"XX"

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

176 TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Chg. X Site Plan _____ Spec. Permit _____

BENEDICT ROAD ESTATES II

1. Name of Project OMAT INC. LOT LINE CHANGE

2. Name of Applicant OMAT INC. Phone 783-9407

Address BOX 673-D MONROE N.Y. 10950
(Street No. & Name) (Post Office) (State) (zip)

3. Owner of Record OMAT INC. Phone 783-9407

Address BOX 673-D MONROE N.Y. 10950
(Street No. & Name) (Post Office) (State) (zip)

4. Person Preparing Plan JOHN TAROLLI PE/LS

Address P.O. BOX 166 PINE BUSH N.Y. 12566
(Street No. & Name) (Post Office) (State) (zip)

5. Attorney DONALD MIRRO Phone 294-5401

Address 176 MAIN ST GOSHEN, N.Y. 10924
(Street No. & Name) (Post Office) (State) (zip)

6. Person to be notified to represent applicant at Planning Board Meeting JOHN TAROLLI PE/LS Phone 744-3620
(Name)

7. Project Location: On the SOUTH side of DEAN HILL RD
(street)

1000 feet SOUTHEAST of MT AIRY ROAD
(direction) (street)

8. Project Data: Acreage of Parcel 59.7 Zone R-3,
School Dist. _____

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y _____ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

65-1-51.2, 51.11, 56.1, 56.2, 56.3

10. Tax Map Designation: Section 85 Block 1 Lot 13

11. General Description of Project: LOT LINE CHANGE

12. Has the Zoning Board of Appeals granted any variances for this property? yes ☒ no.

13. Has a Special Permit previously been granted for this property? yes ☒ no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

2nd day of February 1995

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1995

OMAS, INC.
Michael Petrone
Applicant's Signature
MICHAEL PETRONE
SECR/TREASURER

TOWN USE ONLY:

RECEIVED MAR 15 1995
Date Application Received

95 - 10
Application Number

95 - 10

RECEIVED MAR 15 1995

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

OMAT INC., deposes and says that he
(Applicant)

resides at RD 1 BOX 673D MONROE, NY.
(Applicant's Address)

in the County of ORANGE

and State of N.Y.

and that he is the applicant for the OMAT INC.
MINOR SUBDIVISION IN THE FORM OF
A LOT LINE CHANGE
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized PRINCIPALS OF MERCURIO NORTON TAPOLI P.C.
(Professional Representative)

to make the foregoing application as described therein.

Date: 2/2/95

OMAT, INC
[Signature]
(Owner's Signature)
[Signature]
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ☒ Environmental Assessment Statement
- *2. ☒ Proxy Statement
3. ☒ Application Fees
4. ☒ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ☒ Name and address of Applicant.
- *2. ☒ Name and address of Owner.
3. ☒ Subdivision name and location.
4. ☒ Tax Map Data (Section-Block-Lot).
5. ☒ Location Map at a scale of 1" = 2,000 ft.
6. ☒ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. ☒ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ☒ Date of plat preparation and/or date of any plat revisions.
9. ☒ Scale the plat is drawn to and North Arrow.
10. ☒ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. ☒ Surveyor's certification.
12. ☒ Surveyor's seal and signature.

*If applicable.

13. ✓ Name of adjoining owners.
14. NA Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. NA Flood land boundaries.
16. NA A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. ✓ Final metes and bounds.
18. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19. ✓ Include existing or proposed easements.
20. ✓ Right-of-Way widths.
21. NA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ✓ Lot area (in square feet for each lot less than 2 acres).
23. NA Number the lots including residual lot.
24. ✓ Show any existing waterways.
- *25. NA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. NA Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

29. NA Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. NA Provide "septic" system design notes as required by the Town of New Windsor.
31. NA Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. NA Indicate percentage and direction of grade.
33. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. NA Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. _____ Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. _____ A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: J. T. Quelli PE/LS
Licensed Professional

Date: 3/10/95

RECEIVED MAR 15 1995

14-16-4 (2/87)—Text 12

PROJECT I.D. NUMBER

617.21

Appendix C

SEQR

95-10

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR OMAT INC	2. PROJECT NAME BENEDICT POND EST. # LOT LINE CHANGE, OMAT INC
3. PROJECT LOCATION: Municipality NEW WINDSOR (CT) County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) DEAN HILL RD, ± 1000' S.E. OF MT AIRY ROAD.	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: LOT LINE CHANGE AFFECTING ± 60 ACRES OF LAND.	
7. AMOUNT OF LAND AFFECTED: Initially 60 acres Ultimately 60 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: RURAL RESIDENTIAL— OPEN SPACE	
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: OMAT INC	Date: 3-10-95
Signature: J. Tarolli PE/LS Project Engr.	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

MERCURIO, NORTON & TAROLLI
LAND SURVEYING-ENGINEERING, P.C.
P.O. BOX 166
PINE BUSH, NEW YORK 12566

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

TEL No.

Mar 14 95 12:26 No. 001 P.01

RECEIVED MAR 15 1995

95-10

TO: Mr. Board
Subject: Flood Hazard

FOR OFFICIAL USE ONLY

Permit No.

Fee Received

Date

of

County, New York

Permit Application for Development
in
Flood Hazard Areas

- A. General Instructions page 4 (Applicant to read and sign)
B. For assistance in completing or submittal of this application contact:

Floodplain Administrator,

(Name)

(Address)

, NY ()

1. Name and Address of Applicant

CHART INC.

(First Name)

(Last Name)

Source Address:

RD# 1, Box 673-D

Phone Office:

PHONE

State:

NY

Zip Code:

10950

Telephone: ()

2. Name and Address of Owner (If Different)

First Name: (M) Last Name:

Street Address:

Post Office: State: Zip Code:

Telephone: ()

3. Engineer, Architect, Land Surveyor (If Applicable)

First Name: (M) Last Name:

Street Address: P.O. Box 1616

Post Office: PINE BLUFF State: MS Zip Code: 39566

Telephone: () 744 3620

NO FLOOD ZONE AFFECTS
THIS LOT UNDER CONSIDERATION.

J. T. Tammall

3/14/95

REC-112 1822

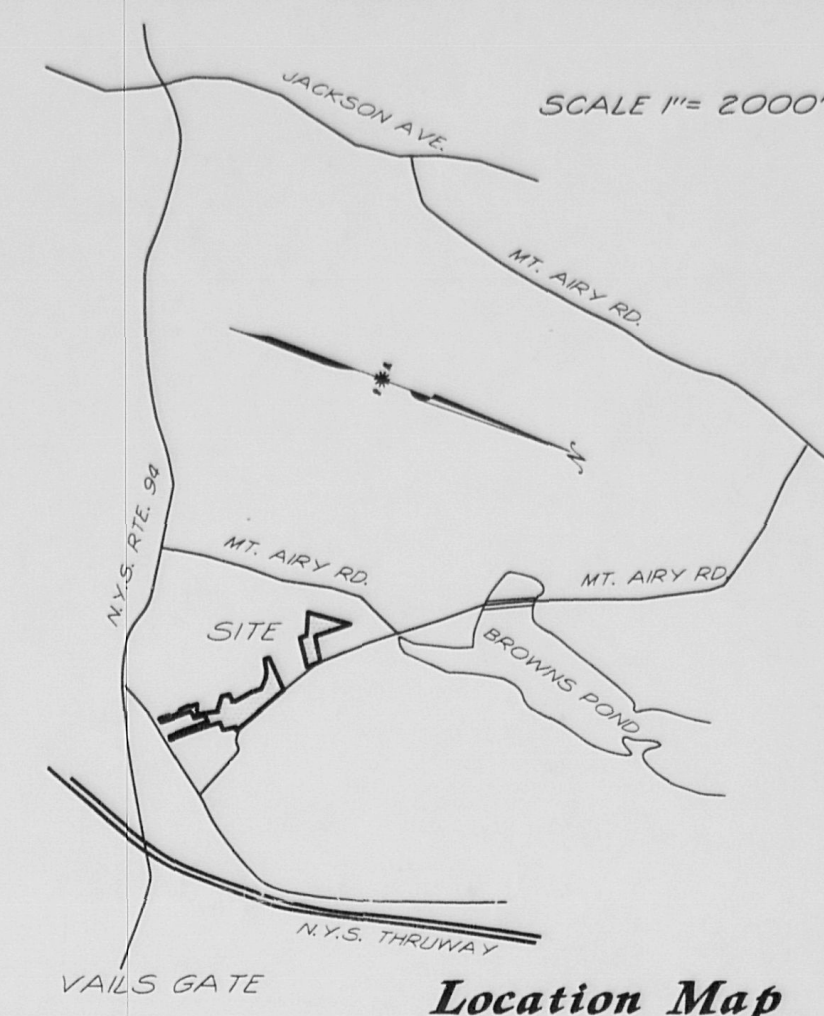
**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**

Legend

- PROPERTY LINE & CORNER
SET 5/8" IRON ROD
- UTILITY LINE AND POLE
ADJACENT PROPERTY LINE
- LIBER OF DEEDS, PAGE
- TAX MAP DESIGNATION
- STONE WALL
- WATERCOURSE/DITCH
& DIRECTION OF FLOW
- EXISTING CULVERT & SIZE
- ZONING MIN. SETBACK LINE
- EXISTING SEWER MANHOLE &
PVC SEWER MAIN

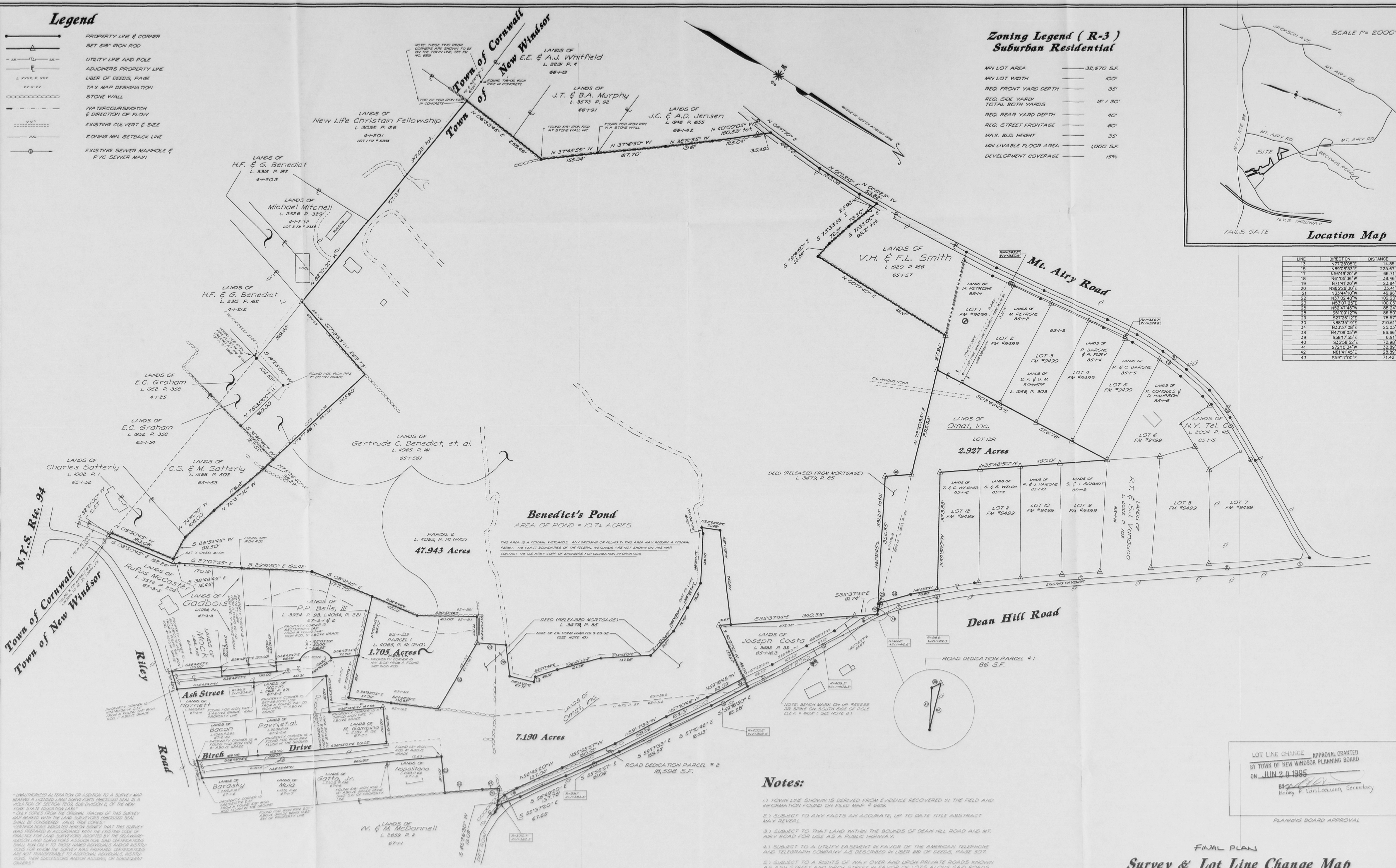
Zoning Legend (R-3) Suburban Residential

- MIN LOT AREA 32,670 S.F.
- MIN LOT WIDTH 100'
- REG. FRONT YARD DEPTH 35'
- REG. SIDE YARD 15' / 30'
- REG. REAR YARD DEPTH 40'
- REG. STREET FRONTAGE 60'
- MAX. BLD. HEIGHT 35'
- MIN LIVABLE FLOOR AREA 1,000 S.F.
- DEVELOPMENT COVERAGE 15%



Location Map

LINE	DIRECTION	DISTANCE
13	N 77° 25' 00" E	14.89
14	N 89° 05' 30" E	225.67
15	N 84° 45' 00" W	66.71
16	N 61° 05' 36" W	38.46
17	N 71° 05' 00" W	55.84
18	N 55° 28' 30" E	33.41
19	N 33° 14' 00" W	46.98
20	N 37° 02' 40" W	102.23
21	N 53° 07' 25" E	100.06
22	N 52° 47' 45" W	88.24
23	S 51° 09' 12" W	86.50
24	S 57° 27' 12" E	75.57
25	N 33° 17' 00" E	75.03
26	N 47° 09' 05" W	86.68
27	S 58° 17' 55" E	6.91
28	S 55° 58' 55" E	72.98
29	S 72° 10' 54" W	32.89
30	N 61° 01' 45" E	28.89
31	S 59° 17' 00" E	71.42



Notes:

- 1) TOWN LINE SHOWN IS DERIVED FROM EVIDENCE RECOVERED IN THE FIELD AND INFORMATION FOUND ON FILED MAP # 683.
- 2) SUBJECT TO ANY FACTS AN ACCURATE, UP TO DATE TITLE ABSTRACT MAY REVEAL.
- 3) SUBJECT TO THAT LAND WITHIN THE BOUNDS OF DEAN HILL ROAD AND MT. AIRY ROAD FOR USE AS A PUBLIC HIGHWAY.
- 4) SUBJECT TO A UTILITY EASEMENT IN FAVOR OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY AS DESCRIBED IN LIBER 681 OF DEEDS, PAGE 507.
- 5) SUBJECT TO A RIGHTS OF WAY OVER AND UPON PRIVATE ROADS KNOWN AS ASH STREET AND BIRCH STREET IN FAVOR OF LOTS ALONG SAID ROADS.
- 6) SUBJECT TO ANY GRANTS, EASEMENTS OR RIGHTS OF WAY OF UTILITY COMPANIES, OF RECORD, IF ANY.
- 7) SUBJECT RIGHTS OVER THAT PORTION OF LAND, IF ANY, UTILIZED BY A 50' RADIUS CURVE OF SAC AND ROAD AS MENTIONED IN LIBER 384 OF DEEDS, PAGE 58.
- 8) ELEVATIONS SHOWN ON MANHOLES ARE ACTUAL MEASUREMENTS, UNLESS NOTED AS * IN WHICH CASE THE INVERT ELEVATIONS WERE CALCULATED FROM PROFILES ON AS BUILT DRAWINGS. VERTICAL DATUM WAS ASSUMED FROM THE RIM ELEVATION OF FORCE MAINHOLE #5 ON THE AS BUILT DRAWINGS.
- 9) LOT 1 IS SUBJECT TO A 20' WIDE SANITARY SEWER LATERAL EASEMENT, FOR INSTALLATION AND MAINTENANCE, IN FAVOR OF LOT 130.
- 10) LANDS OF OMAT, INC. FRONTING ON BENEDICT'S POND HAS THE RIGHT TO USE THE WATERS OF BENEDICT'S POND IN COMMON WITH OTHERS, AS DESCRIBED IN LIBER 387 OF DEEDS, PAGE 85.

Owner's Endorsement

I HAVE REVIEWED THIS PLAN AND I HEREBY GRANT MY APPROVAL OF THIS PLAN AND HEREBY CONSENT TO ITS FILING WITH THE CHANGE COUNTY CLERK'S OFFICE.

OWNER'S SIGNATURE *[Signature]* TITLE *[Title]*

Prepared by:

MERCURIO-NORTON-TAROLLI
Land Surveying-Engineering-P.A.

FINAL PLAN Survey & Lot Line Change Map Benedict Pond Estates II

Record Owner: Omat, Inc., R.D. #1 Box 673-D, Monroe, NY 10950
TAX MAP REFERENCES: 65-1-512, 511, 584, 582, 583, 85-1-13
DEED REFERENCES: LIBER 2828, PAGE 317; 65-1-582, 583, LIBER 3843, PAGE 186; 65-1-113, LIBER 3879, PAGE 85; (MORTGAGE RELEASE) LIBER 4175, PAGE 57; 65-1-512, LIBER 4085, PAGE 141; 65-1-584, 511

Situate in the Town of New Windsor
Orange County, New York State
Scale 1"= 100' Oct. 1992